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CITY AND COUNTY OF SAN FRANCISCO,  
HEATHER FONG, IN HER OFFICIAL CAPACITY,  
AND JESSE SERNA

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY OLIVER, II,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, a municipal corporation;  
HEATHER FONG, in her capacity as  
Chief of Police for the CITY AND  
COUNTY OF SAN FRANCISCO; JESSE  
SERNA, individually, and in his capacity  
as a police officer for the CITY AND  
COUNTY OF SAN FRANCISCO; and  
San Francisco police officers DOES 1-25,  
inclusive,

Defendants.

Case No. C07-02460 JL (MEJ)

ADMINISTRATIVE MOTION TO  
EXTEND DATE BY WHICH TO MEET  
WITH SETTLEMENT JUDGE

Date Action Filed: May 8, 2007  
Trial Date: None Set

1 Pursuant to Local Rule 7-11, defendants file this stipulated motion to continue the date by  
2 which the parties are to meet with Magistrate Judge James for settlement discussions by 60 days, or  
3 until April 17, 2008.

4 On October 17, 2007 this Court issued an order referring the case to a Magistrate Judge for a  
5 settlement conference within 120 days, or by February 17, 2008. [Docket #18.] On October 24,  
6 2008, Magistrate Judge James issued an order setting the conference for January 11, 2008. [Docket  
7 #19.]

8 The parties request an additional 60 days to gather additional information to increase the  
9 likelihood that meaningful discussions can take place at the conference. Defendants' counsel, Ron  
10 Flynn, spoke with plaintiff's counsel, Ben Nisenbaum on Friday December 21, 2007 and the two  
11 agreed to seek the extension. Both Mr. Flynn and Mr. Nisenbaum just completed federal trials and  
12 need the additional time to gather information.

13 Accordingly, the parties request that the Court extend the deadline by which the parties are to  
14 meet with the Magistrate Judge by 60 days, or until April 17, 2008.

15  
16 Dated: December 24, 2007

17 DENNIS J. HERRERA  
18 City Attorney  
19 JOANNE HOEPER  
20 Chief Trial Deputy  
21 RONALD P. FLYNN  
22 Deputy City Attorney

23 -/s/- Ronald P. Flynn  
24 By: \_\_\_\_\_

25 RONALD P. FLYNN

26 Attorneys for Defendants  
27 CITY AND COUNTY OF SAN FRANCISCO,  
28 HEATHER FONG, IN HER OFFICIAL CAPACITY,  
AND JESSE SERNA

DECLARATION OF RONALD P. FLYNN

I, Ronald P. Flynn, declare as follows:

1. I am a Deputy City Attorney for the City and County of San Francisco and one of the attorneys of record for the defendants. I am licensed to practice law in the state of California and before this Court. Except where noted, the following is within my personal knowledge and, if called, I could and would testify competently with respect thereto.

2. On December 21, 2007, I spoke with counsel for plaintiff, Ben Nisenbaum, and we agreed to seek this 60-day extension.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed this 24th day of December, 2007, at San Francisco, California.

- /s/ - Ronald P. Flynn  
Ronald P. Flynn

**ORDER**

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that the deadline for the parties to meet with Magistrate Judge James for a settlement conference is continued for 60 days, until April 17, 2007

DATED: 12/28/07



Hon. James Larson,  
Chief Magistrate Judge, U.S. District